

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JOHN T. FORBIS )  
 )  
TITLE: CLIP FOR ATTACHING A )  
 FENCE RAIL TO A )  
 SUPPORT )  
 ) INFORMATION DISCLOSURE  
SERIAL NO.: \_\_\_\_\_ ) STATEMENT UNDER 37 C.F.R.  
 ) § 1.97  
FILED: April 14, 2004 )  
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EXAMINER: \_\_\_\_\_ )  
 )  
ART UNIT: \_\_\_\_\_ )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

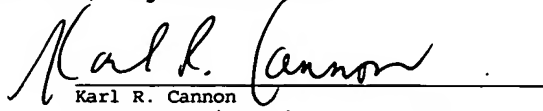
Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449, which contains a list of patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully invokes the Patent Office's obligation under 37 C.F.R. § 1.97 to consider these references and make them of record in the above-captioned application. While no representation is made that

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

  
Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant

any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously cited by or submitted to the Office, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) that was not previously submitted to, or cited by, the Patent Office is also enclosed.

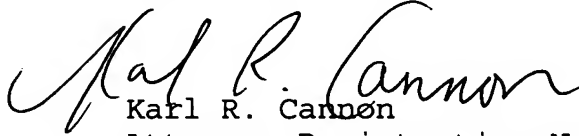
Statement of References Previously Disclosed  
Under 37 C.F.R. § 1.98(d)

The references listed on the enclosed Form PTO-1449 are not required to be provided under 37 C.F.R. § 1.98(d), and are therefore not enclosed, because they were previously cited by or submitted to the Office in application number 10/277,721, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

Please charge any additional fees or credit any overpayment to  
Deposit Account No. 50-0836.

DATED this 14 day of April, 2004.

Respectfully submitted,



Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant(s)

CLAYTON, HOWARTH & CANNON, P.C.  
P.O. Box 1909  
Sandy, UT 84091  
Telephone: (801) 255-5335  
Facsimile: (801) 255-5338

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| PTO-1449                                    |  | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE |  | ATTY. DOCKET NO.<br>T4890.B.CON.DIV2 |  | SERIAL NO. |  |
| <b>LIST OF PRIOR ART CITED BY APPLICANT</b> |  |  |  | APPLICANT John T. Forbis             |  |            |  |
|   |  |  |  | FILING DATE April 14, 2004           |  | GROUP      |  |

| U.S. PATENT DOCUMENTS |    |                 |               |               |       |          |                            |
|-----------------------|----|-----------------|---------------|---------------|-------|----------|----------------------------|
| EXAMINER INITIALS     |    | DOCUMENT NUMBER | DATE          | NAME          | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|                       | AA | 2,336,385       | Dec. 7, 1943  | Batcheller    |       |          |                            |
|                       | AB | 2,590,929       | Apr. 1, 1952  | Bush          |       |          |                            |
|                       | AC | 3,107,900       | Oct. 22, 1963 | Paolo         |       |          |                            |
|                       | AD | 3,156,282       | Nov. 10, 1964 | Bedford, Jr.  |       |          |                            |
|                       | AE | 3,208,778       | Sep. 28, 1965 | Gordon        |       |          |                            |
|                       | AF | 3,212,754       | Oct. 19, 1965 | Revell et al. |       |          |                            |
|                       | AG | 3,278,149       | Oct. 11, 1966 | Brucker       |       |          |                            |
|                       | AH | 3,385,567       | May 28, 1968  | Case et al.   |       |          |                            |
|                       | AI | 3,498,589       | Mar. 3, 1970  | Murdock       |       |          |                            |
|                       | AJ | 3,506,243       | Apr. 14, 1970 | Seiler        |       |          |                            |
|                       | AK | 4,101,226       | Jul. 18, 1978 | Parisien      |       |          |                            |

| FOREIGN PATENT DOCUMENTS |    |                 |               |               |       |          |                       |
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|                          |    | DOCUMENT NUMBER | DATE          | COUNTRY       | CLASS | SUBCLASS | TRANSLATION<br>YES NO |
|                          | AL | 29,939          | Oct. 22, 1898 | Great Britain |       |          |                       |
|                          | AM | 1035983         | Aug. 8, 1978  | Canada        |       |          |                       |
|                          | AN | 3404947 A1      | Aug. 22, 1985 | Germany       |       |          | X                     |
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| OTHER PRIOR ART (Including Author, Title, Volume and/or Name of Publication, Relevant Pages and Date (as available)) |  |  |  |
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| EXAMINER<br>INITIALS  |    | DOCUMENT<br>NUMBER | DATE          | NAME           | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       | AO | 4,114,861          | Sep. 19, 1978 | Long           |       |          |                               |
|                       | AP | 4,124,198          | Nov. 7, 1978  | Wong           |       |          |                               |
|                       | AQ | 4,135,837          | Jan. 23, 1979 | Suttles        |       |          |                               |
|                       | AR | 4,165,944          | Aug. 28, 1979 | Sunasky        |       |          |                               |
|                       | AS | 4,280,686          | Jul. 28, 1981 | Wack           |       |          |                               |
|                       | AT | 4,368,875          | Jan. 18, 1983 | Weiss et al.   |       |          |                               |
|                       | AU | 4,369,953          | Jan. 25, 1983 | Greiner et al. |       |          |                               |
|                       | AV | 4,616,950          | Oct. 14, 1986 | Morris         |       |          |                               |
|                       | AW | 4,625,948          | Dec. 2, 1986  | Lustvee        |       |          |                               |
|                       | AX | 4,856,252          | Aug. 15, 1989 | Cornell        |       |          |                               |
|                       | AY | 4,919,394          | Apr. 24, 1990 | Otte et al.    |       |          |                               |

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| EXAMINER<br>INITIALS  |    | DOCUMENT<br>NUMBER | DATE          | NAME        | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       | AZ | 4,923,176          | May 8, 1990   | Heinz       |       |          |                               |
|                       | BA | 4,958,399          | Sep. 25, 1990 | Toal et al. |       |          |                               |
|                       | BB | 5,101,540          | Apr. 7, 1992  | Roof et al. |       |          |                               |
|                       | BC | 5,143,472          | Sep. 1, 1992  | Reed et al. |       |          |                               |
|                       | BD | 5,186,571          | Feb. 16, 1993 | Hentzschel  |       |          |                               |
|                       | BE | 5,215,290          | Jun. 1, 1993  | Khalessi    |       |          |                               |
|                       | BF | 5,437,433          | Aug. 1, 1995  | Rezek       |       |          |                               |
|                       | BG | 5,441,241          | Aug. 15, 1995 | McKim       |       |          |                               |
|                       | BH | 5,474,279          | Dec. 12, 1995 | Parisien    |       |          |                               |
|                       | BI | 5,544,865          | Aug. 13, 1996 | Abbatichio  |       |          |                               |
|                       | BJ | 5,547,169          | Aug. 20, 1996 | Russell     |       |          |                               |

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|                       | BK | 5,564,248          | Oct. 15, 1996 | Callies       |       |          |                               |
|                       | BL | 5,755,431          | May 26, 1998  | Williams      |       |          |                               |
|                       | BM | 5,788,224          | Aug. 4, 1998  | Platt         |       |          |                               |
|                       | BN | 5,795,503          | Aug. 18, 1998 | Krake         |       |          |                               |
|                       | BO | 5,873,671          | Feb. 23, 1999 | West          |       |          |                               |
|                       | BP | 5,938,184          | Aug. 17, 1999 | DeSouza       |       |          |                               |
|                       | BQ | 5,964,452          | Oct. 12, 1999 | Summers       |       |          |                               |
|                       | BR | 5,967,498          | Oct. 19, 1999 | Junell        |       |          |                               |
|                       | BS | 5,971,365          | Oct. 26, 1999 | Pigott et al. |       |          |                               |
|                       | BT | 6,017,019          | Jan. 25, 2000 | Erwin         |       |          |                               |
|                       | BU | 6,029,954          | Feb. 29, 2000 | Murdaca       |       |          |                               |

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|                       | BV | 6,039,307          | Mar. 21, 2000 | De Zen   |       |          |                               |
|                       | BW | 6,053,481          | Apr. 25, 2000 | Scheide  |       |          |                               |
|                       | BX | 6,131,358          | Oct. 17, 2000 | Wise     |       |          |                               |
|                       | BY | 6,173,944          | Jan. 16, 2001 | McCarthy |       |          |                               |
|                       | BZ | 6,308,937          | Oct. 30, 2001 | Pettit   |       |          |                               |
|                       | CA | 6,398,193          | Jun. 4, 2002  | DeSouza  |       |          |                               |
|                       | CB | 6,471,192          | Oct. 29, 2002 | Erwin    |       |          |                               |
|                       | CC | 6,484,465          | Nov. 26, 2002 | Higgins  |       |          |                               |
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